

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

VIRGIL L. MADDOX)	
)	
Petitioner,)	
)	
v.)	Case No. CV416-156
)	
COASTAL STATE PRISON,)	
)	
Respondent.)	

ORDER

Virgil Maddox, who is detained at Coastal State Prison in Chatham County, Georgia, attacks a Floyd County conviction and sentence for aggravated sodomy pursuant to 28 U.S.C. § 2254. Doc. 1. He evidently filed his § 2254 petition in this judicial district because he is incarcerated here. See Georgia Department of Corrections Inmate Locator, <http://www.dcor.state.ga.us/GDC/OffenderQuery/>. Floyd County, however, lies within the Northern District of Georgia, 28 U.S.C. § 90(b)(1), and federal law allows his petition to be filed in the district within which he was convicted or in the district within which he is confined. 28 U.S.C. § 2241(d); *Wright v. Indiana*, 263 F. App'x 794, 795

(11th Cir. 2008). Hence, this Court and the Northern District concurrently have jurisdiction to hear his case.

It is longstanding judicial policy and practice to funnel such petitions into the district within which the state prisoner was convicted, since that will be the most convenient forum. *Mitchell v. Henderson*, 432 F.2d 435, 436 (5th Cir. 1970); see *Wright*, 263 F. App'x at 795. That also fosters an equitable distribution of habeas cases between the districts. The Court therefore concludes that this case should be transferred to the Northern District. Hence, it **DIRECTS** the Clerk to transfer this case to the Northern District of Georgia for all further proceedings. See 28 U.S.C. § 1404(a) (permitting a district court to transfer any civil action to another district or division where it may have been brought for the convenience of parties and witnesses and in the interest of justice); *Rufus v. Kemp*, 2013 WL 2659983 at * 1 (S.D. Ga. June 12, 2013).

SO ORDERED, this 22nd day of June, 2016.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA